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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,429	05/15/2006	Wenbin Liang	63385B	7880

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Intellectual Property Section
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EXAMINER	
AHMED, SHEEBA	
ART UNIT	PAPER NUMBER
1794	

MAIL DATE	DELIVERY MODE
04/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/579,429	LIANG ET AL.	
	Examiner	Art Unit	
	SHEEBA AHMED	1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 9/25/06.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. The claims, as originally filed, are not double spaced. The Examiner requests that any future listing of claims be double-spaced.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-17, 19-21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Eichbauer (US 5,907,943 A).

Eichbauer disclose a multilayer, thermoplastic stretch wrap film containing at least three polymeric film layers and comprised of an inner polymeric layer. The inner polymeric layer comprises a blend of a low polydispersity polymer and either a high pressure low density polyethylene resin, a very low density polyethylene resin or a combination thereof. The low polydispersity polymer has a polydispersity of from about 1 to about 4, a melt index of from about 0.5 to about 10 g/10 min. The high pressure low density polyethylene resin has a melt index of from about 1 to about 10 g/10 min., and a density of from about 0.9 to about 0.935 g/cm.sup.3. The very low density polyethylene resin has a melt index of from about 0.5 to about 5 g/10 min., and a density of from about 0.880 to about 0.912 g/cm.sup.3. The stretch wrap film may include a first layer

and a second layer. The first and second layers may comprise a polymer of two or more monomers, wherein a first monomer is ethylene, in a major amount by weight, and a second monomer is an alpha olefin of from about 3 to about 12 carbon atoms, in a minor amount by weight. If the first and second layers are outer layers, they have a cling force to each other of at least about 140 grams/inch. ***The stretch wrap film has a maximum stretch of at least 340% and a F-50 dart drop value of at least about 150 g/mil.*** It is contemplated that additional outer layers may be added such as an outer high cling layer or an outer slip layer, as well as additional inner layers. The inner polymeric layer may comprise additional resins with the above described resins. In addition, the multilayer film may be constructed with additional inner layers. For instance, additional inner polymeric layers may be incorporated adjacent to said first inner polymeric layer. The present invention may include first and second layers. The first and second layers of the stretch wrap films of the present invention may be constructed of olefin polymer resins. Suitable polyethylene resins are those ethylenic copolymers that comprise a major proportion by weight of ethylene copolymerized with a minor proportion by weight of an alpha olefin monomer containing about 3 to about 12, preferably about 4 to about 10, and more preferably about 4 to about 8, carbon atoms. These resins have a polydispersity which is preferably in the range of from about 3 to about 7. Ethylenic copolymers may be those commonly referred to as linear low density polyethylenes (LLDPE). Preferably the ethylenic copolymers employed are those having from about 1 to about 20, preferably from about 1 to about 10 weight percent of said higher alpha olefin monomer copolymerized therein. In addition, the

alpha olefin monomer employed in the ethylenic copolymer may be selected from the group consisting of 1-butene, 3-methyl-1-butene, 3-methyl-1-pentene, 1-hexene, 4-methyl-1-pentene, 3-methyl-1-hexene, 1-octene and 1-decene. Particularly preferred are the 1-hexene alpha olefins. The LLDPE resins that can be used in the first and second layers herein have a density ranging from about 0.890 to about 0.940 g/cm.sup.3, more commonly from about 0.90 to about 0.93 g/cm.sup.3, and a melt index of from about 1 to about 10 g/10 min. as determined by ASTM D1238. The LLDPE resins that can be used in the first and second layers can be blended with minor amounts, e.g., up to about 40 weight percent total, of one or more other suitable resins to achieve a desired range of physical/mechanical properties in the film product. Thus, for example, such resins as ethyl vinyl acetate (EVA) copolymer, high pressure low density polyethylene (HPLDPE), and other LLDPE resins may be used for blending to obtain useful mixtures for forming the first and second layers of the films. The stretch wrap films of the present invention can be constructed to contain a plurality of layers of the film in various combinations. According to one embodiment, the stretch wrap film is of an A/BC/A construction (see FIG. 1) wherein the film layers (10) are the first and second layers (layers A), film layer (20) is the inner polymeric layer which comprises a blend of a low polydispersity polymer (resin B) and either a HPLDPE resin, a VLDPE resin, or a combination thereof (resins C). The films generally have a gloss of at least about 88% and a haze of below about 2%. The overall thickness of the stretch wrap film can vary widely according to end use specifications, but is generally in the range of the typical thicknesses for stretch wrap films. Conventional

for such films is a thickness of from about 0.4 to about 3 mils, and is application specific (See entire document, specifically, Column 2, lines 55-68; Column 3, lines 1-20 and 65-68; Column 4, lines 1-28; Column 5, lines 52-68; Column 6, lines 29-60; and Column 8, lines 25-45). With regards to the limitations of CF (catastrophic failure) and the tensile stress at break, the Examiner takes the position that such property limitations are met by the stretch film taught in the above reference given that the chemical composition and the structure of the stretch film as taught by Eichbauer and that of the claimed invention are identical.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichbauer (US 5,907,943 A).

Eichbauer, as discussed above, do not teach the specific amount of each component as recited in claims 18 and 22. However, it would have been obvious to one having ordinary skill in the art to optimize the amount of each polymeric component to obtain the optimum properties for any given use.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEEBA AHMED whose telephone number is (571)272-1504. The examiner can normally be reached on Monday-Friday from 8am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571)272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sheeba Ahmed/
Primary Examiner, Art Unit 1794